

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL ACTION NO.
)	2:04cr240-MHT
QUENTIN T. DUNN)	
)	

ORDER

On February 6, 2006, defendant Quentin T. Dunn filed a motion for judgment of acquittal and alternative motion for a new trial (Doc. No. 108). The motion was limited to the question of whether Dunn's conviction on Count 3 of the indictment constituted impermissible double punishment under Blockburger v. United States, 284 U.S. 299 (1932). At the initial sentencing hearing held on April 20, 2006, the court dismissed Count 3 of the indictment by agreement of the parties. The next day, the court entered an order denying Dunn's motion for acquittal as moot, but that order did not address the alternative motion for a new trial.

Accordingly, it is ORDERED that defendant Dunn's motion for a new trial (Doc. No. 108) is denied as moot.

DONE, this the 31st day of May, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE